

Eric A. Liepins
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PROPOSED ATTORNEY FOR DEBTOR

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND DIVISION

IN RE §
AE HOTEL, LLC § CASE NO. 21-70025-11
DEBTOR §

EMERGENCY MOTION FOR INTERIM USE OF CASH COLLATERAL
TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, AC Hotel, LLC, Debtor in the above styled and numbered cause and files this its Emergency Motion for Interim Use of Cash Collateral (“Emergency Motion”) and would respectfully show unto the Court as follows:

1. This Court has jurisdiction over this proceeding and the parties and property affected hereby pursuant to 28 U.S.C. §§1334 and 157. Consideration of the Emergency Motion constitutes a core proceeding as defined in 28 U.S.C. §157(b)(2)(A), (K), (M) and (O).
2. The Debtors commenced this proceeding on March 2, 2021 by filing a voluntary petition under Chapter 11 of the United States Bankruptcy Code. Since the filing

of the petition, the Debtor has remained in possession of its assets and continued in operation of its business as a debtor-in-possession pursuant to 11 U.S.C. §§1107 and 1108.

3. The Debtors business consists of the ownership and operation of a 71 room hotel in Andrews Texas. As a result of a slow down in business, and some mismanagement from a former operator of the hotel the Debtor sought bankruptcy protection.
4. Commonwealth Business Bank (“CBB”) currently asserts a first lien position, on among other things the accounts receivable and inventory of Debtor.
5. The Debtor would show the amount of the indebtedness to CBB is approximately \$4,500,000.
6. The Debtor is in immediately need to use the cash collateral of CBB maintain operations of the business. The continued operations of the Debtor will necessitate the use of the cash collateral.
6. The Debtor seeks to use the cash collateral of CB to make the payroll and continue operations. Debtor seeks interim use of the cash collateral for the uses set forth on Exhibit “A”.
7. An emergency exists in that the entire chance of the Debtor’s reorganizing depends on the Debtor’s ability to immediately obtain use the alleged collateral of CBB to continue operations of the companies while effectuating a plan of reorganization.
8. The Debtor is willing to provide CBB with replacement liens pursuant to 11 U.S.C. § 552.
9. The Debtor would show that if allowed to continue its operations, it has sufficient operations to generate income to maintain the levels of operations to provide funds

needed to continue operations.

WHEREFORE, PREMISES CONSIDERED, the Debtor would request this matter be set down for an Emergency Hearing and that upon hearing, this Court enter and Order authorizing the Debtor's use of the Cash Collateral of CBB in the amounts set forth in Exhibit "A" and to grant CBB, adequate protection in the form of replacement liens under 11 U.S.C. § 552, and for such other and further relief as the Debtor may show itself justly entitled.

Respectfully submitted,

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By: /s/ Eric Liepins
Eric A. Liepins, SBN 12338110

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing Motion was sent via telecopy or mail to the CBB through its counsel of record John Ivie at John@colvenandtran.com and the United States Trustee on this the 3rd day of March 2021.

/s/ Eric Liepins
Eric A. Liepins

Exhibit A

Income	\$50,000
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AE HOTEL LLC
MONTHLY OPERATIONAL EXPENSES

DESCRIPTION	AMOUNT
Front Desk Operation System - monthly invoice	\$297.69
Paycheck service fees- monthly	\$284.00
Payroll And Employer Tax Liability - monthly	\$3,932.22
Employees Payroll checks- monthly (Paid Biweekly)	\$15,400.00
Food Supplies	\$1,800.00
Cleaning Supplies and Guest Rooms supplies	\$1,700.00
Office Supplies	\$300.00
Electricity	\$2,500.00
Internet and Cable	\$578.08
Utilities - City Of Andrews	\$425.00
Franchise Fees (5% of revenue) or minimum	\$2,500.00
Online Reservation Services	\$500.00
Hotel Insurance - monthly	\$2,579.04
Work Comp	\$133.00
Vehicle Insurance - Shuttle Van	\$87.00
Shift 4- Credit card collection services	\$970.00
WNW property Management co (3% or \$4000 min plus transportation expenses)	\$5,000.00
Best Western Franchise Marketing % or minimum	\$650.00
Hotel Tax 6%	\$1,800.00
Occupancy Tax 7% - City of Andrews	\$2,100.00
Sales Tax 8.25% - Sweet Shop	\$25.00
CPA Service Fees	\$700.00
Michael Youssef- Owners Representative	\$4,500.00
Total	\$48,761.03

